

REMARKS

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119 and receipt of a certified copy of the priority document.

Information Disclosure Statement

The Examiner alleges that the Information Disclosure Statement filed on January 16, 2007 fails to comply with 37 C.F.R. § 1.98(a)(3) because it does not include a concise explanation of the relevance of each patent listed that is not in the English-language.

Applicant respectfully submits that the above-noted Japanese Office Action and English translation of the pertinent portions thereof filed with the Information Disclosure Statement dated January 16, 2007 complies with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign-language documents, and the requirement of MPEP § 609.01(B)(3)(a) for a concise explanation of the relevance, as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information.

In accordance with MPEP § 609, a translation of a non-English language reference is not required when an IDS is submitted with a concise explanation of the relevance of a cited document submitted for each patent, publication, or other information listed in an IDS that is not in the English language (See MPEP 609, and 37 C.F.R. § 1.98(a)(3)). When a document is cited in a foreign patent office action or search report, the statement of relevance may be a translation of the portion of the foreign office action indicating the relevance found for the documents. Accordingly, the cited references should be considered by the Examiner.

Applicant has provided herewith a duplicate Form-1449 listing the references for the Examiner's initials.

Objections to the Claims

The Examiner has objected to claims 1-17 because claim 1 recites "n first through nth." Applicant has amended claim 1 to recite "first through nth." Accordingly, Applicant respectfully requests that this objection be withdrawn.

Claim Rejections

Claims 1 and 2 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 6,092,191 to Shimbo *et al.* ("Shimbo"), and claim 3 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shimbo in view of U.S. Pat. No. 6,760,444 to Leung ("Leung").

Applicant has amended claim 1 to incorporate the allowable subject matter of claim 4, and has canceled claim 4 without prejudice or disclaimer. Applicant respectfully submits that amended claim 1 is patentable over the prior art. Claims 2 and 3, which depend from claim 1, are patentable at least by virtue of their dependence.

Claims 6, 8 and 12 have been amended to change their dependence from canceled claim 4 to claim 2 from which canceled claim 4 depended.

Claims 2 and 3 have been amended to correct typographical errors. Specifically, instances of the words "trans-mitting" and "trans-mission" have been amended to recite "transmitting" and "transmission."

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 4-17 contain allowable subject matter and would be allowable if rewritten in independent form containing all of the limitations of the base claim and any intervening claims.


As noted above, claim 4 has been canceled without prejudice or disclaimer and the allowable subject matter of claim 4 has been incorporated into claim 1. Accordingly, claims 5-17, which depend from claim 1, are patentable at least by virtue of their dependence.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

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Date: July 23, 2007

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

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| Application Number | 10/671,834 |
| Confirmation Number | 3520 |
| Filing Date | September 29, 2003 |
| First Named Inventor | Shigeyoshi SHIMA |
| Art Unit | 2661 |
| Examiner Name | Not yet assigned |
| Attorney Docket Number | Q77708 |

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U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|-------------------------------------------------|
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
|--------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|-------------------------------------------------|--------------------------|
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
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Examiner Signature

Date Considered